

JAA Doe, The Plaintiff
Case No.: 1:24-cv-00345 AT

VIA Email

Honorable Analisa Torres
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2210
New York, New York 10007-1312
Torres_NYSDChambers@nysd.uscourts.gov

May 8th, 2024

Re: Notice of Opposition to Defendant's Neil Portnow's Motion for Extension of Time

Docket: Doe v. Portnow, et al., 24 Civ. 345 (AT)

Dear Judge Torres:

I, Jane Doe, the plaintiff in the above-captioned case, hereby submit this opposition to the defendant's motion of National Academy of Recording Arts & Sciences, Inc. (the "Recording Academy") for an extension of time to respond to my voluntary dismissal request. The defendant's motion lacks valid reasons and jeopardizes my urgent need for dismissal without prejudice. I am proceeding pro se due to the sudden withdrawal of my attorney, and I respectfully request the court's consideration of my vulnerable position urgently.

On May 4, 2024, I filed a voluntary dismissal without prejudice due to safety concerns and potential harm, Attorney's withdrawal and procedural transparency. The defendant now seeks additional time to respond, which directly impacts my emotional well-being and safety:

*"Specifically, we request that the Court allow us until Tuesday, May 14, 2024, to provide Mr. Portnow's position with respect to Plaintiff's request and that the Court take no action regarding that application prior to that date. Furthermore, we respectfully request that the Court stay the pending deadlines in the interim, specifically, **Mr. Portnow's May 9, 2024 deadline to answer the Amended Complaint and the parties' May 13, 2024 deadline to file a joint letter, proposed case management plan, and indication of whether they consent to proceed before a magistrate judge.**"*

I have valid reasons for opposing the defendant motions:

Lack of Notice

I was unaware of the impending deadlines due to my attorney's misrepresentation. I was not informed about the specific deadlines set forth in this case. Specifically, I was unaware of the deadlines falling on ***“Mr. Portnow’s May 9, 2024 deadline to answer the Amended Complaint and the parties’. Not only that, but also, the May 13, 2024 deadline to file a joint letter, proposed case management plan, and whether the parties consent to proceed before a magistrate judge, and all anything else.”*** My withdrawn attorney and his law team never notified me about any deadlines, timelines and procedures. Unfortunately, I don’t even know what they are for. My withdrawn attorney and his law team ignored all my requests for the case information for the entire 6 months since my case was filed November 8th in the New York State Supreme Court, 2023 until he resigned on May 1st. This absolute lack of notice significantly impacted my ability to proceed with the case. As now a pro se litigant, I rely on accurate and timely information to protect my rights.

Lack of Valid Reasons

The defendant's motion merely states that they are considering "all relief and options." However, it fails to provide specific valid reasons for the extension. Without a compelling basis, granting the extension would unfairly delay the proceedings and exacerbate my vulnerability.

Urgency and Harm and retaliations

The urgency of my situation cannot be overstated. Any delay in dismissing the case would prejudice my rights and well-being. My safety concerns are urgent. I fear retaliation and grave further harm as my attorneys advised. The defendant's delay prolongs my emotional distress and exacerbates the trauma caused by my withdrawn attorney's actions. The circumstances surrounding this case have created a genuine concern for my safety, and emotional well-being seriously.

Prejudice

The defendant’s extension would unfairly prejudice my position, granting the extension would disproportionately benefit the defendant. As the plaintiff in this case, I believe that granting the extension would prejudice my rights and delay the proceedings unnecessarily.

Pro Se Status and Inability

As a pro se litigant, I lack legal representation and face challenges in navigating the court process. Denying the extension would allow me to proceed promptly and protect my rights. I am not able to proceed with the case.

In conclusion, given the urgency of this matter (defendant's motion, court decisions, impending deadlines), **I respectfully request that the court expedite its ruling on the defendant's motion.** The potential harm to my rights and the need for a fair resolution compel swift action. I respectfully request that this honorable court deny the defendant's motion for an extension of time. The circumstances warrant swift action, and any further delay would harm my interests. Please consider my vulnerable position as a pro se litigant.

In light of the above, I urge the court to proceed with the dismissal process without granting the requested extension.

Thank you for your attention to this matter.

Certificate of Service

I certify that I served a copy of this opposition on the defendant via Email on May 9th, 2024 : “Edward M. Spiro” <espiro@maglaw.com>

Sincerely, yours

s/JAA Doe

JAA Doe,
The Plaintiff
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